IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.9034 OF 2004

Mr.Rajeshwar i/b M/s.Lega Apex for the Petitioner.

Mr.P.J.Thorat i/b Mr.B.P. Shukla for Respondent No.1.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J.
	DATED: 3RD AUGUST,2005

P.C.:

1. By the order impugned the trial court has rejected the application made by the Petitioner/ society for being joined as the Defendant in the suit. The trial court has found that the Petitioner is not a necessary party to the suit. Perusal of the plaint shows that only relief claimed by the Plaintiff is against the Bombay Municipal Corporation restraining them from demolishing some structure. The relief, if granted, will not in any

way operate against the Petitioner. It will operate only against the Corporation. As the Petitioner is not a party to the suit, the decree will also not bind the Petitioner. Hence, I do not see any reason to interfere with the order. Petition is rejected.

Parties to act on ordinary copy of the order duly authenticated by the Personal Secretary of the court as a true copy.

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